

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
Civil Action No.**

PAID, INC.,

Plaintiff

VS.

**JEFFREY THOMAS THACHER and
CHARLES SCOTT LEONARD,**

Defendant

*
*
*
*
*
*
*
*
*

COMPLAINT

INTRODUCTORY STATEMENT

The Plaintiff brings this action to recover amounts due for monies had a received by the Defendants. The Plaintiff further seeks to recover from the Defendants amounts due for unjust enrichment as a result of stock transferred to the Defendants.

PARTIES

1. The Plaintiff, Paid, Inc. (hereinafter "Paid" or "Plaintiff"), is a Delaware corporation with a principal place of business at 200 Friberg Parkway Suite 4004, Westborough, MA 01581. Paid's Registered Agent in Massachusetts is Richard Rotman, located at 97 Bowman Street, Westborough MA 01581.
2. The Defendant Jeffrey Thomas Thacher is an individual with a last and usual place of residence at 338 Bagdad Road, Potsdam, NY 13676.
3. The Defendant Charles Scott Leonard is an individual with a last and usual place of residence at 2911 W Estrella Street, Tampa, FL 33629.

JURISDICTION AND VENUE

4. The Court has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1332, as the matter in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs, and there is complete diversity of citizenship between Plaintiff and Defendants. In that regard, the Plaintiff is a corporation doing business in Massachusetts, and the Defendants are citizens of New York and Florida, respectively.
5. Venue is proper in the United States District Court for the District of Massachusetts pursuant to 28 U.S.C. § 1391(b)(1) as the Plaintiff is a corporation with a principal place of business in Massachusetts.

FACTS COMMON TO ALL COUNTS

6. On or about September 21, 2009, Plaintiff issued \$149,999.85 worth of Paid Inc. stock to Defendants Jeffrey Thomas Thacher ("Thacher") and Charles Scott Leonard ("Leonard"), respectively, for a total of approximately \$300,000.
7. The total balance outstanding for the stock issued to Defendants is \$147,674.14.
8. Defendants Thacher and Leonard are each responsible for half of the outstanding balance, amounting to \$73,837.07, respectively.

CAUSES OF ACTION

COUNT I

(For Monies Had and Received – Thacher)

9. The Plaintiff reavers, realleges and incorporates herein by reference the allegations contained in paragraphs 1 through 8 above with the same full force and effect as if expressly set forth herein.

10. On or about September 21, 2009, Plaintiff issued \$149,999.85 worth of stock to Thacher.
11. As evidenced by the Transaction Journal attached hereto as Exhibit A, Thacher received said stock.
12. Thacher has not fully compensated Plaintiff for the stock received.
13. Thacher owes to the Plaintiff the sum of Seventy-Three Thousand Eight Hundred Thirty Seven Dollars and Seven Cents (\$73,837.07) together with interest and costs.

COUNT II

(For Monies Had and Received – Leonard)

14. The Plaintiff reavers, realleges and incorporates herein by reference the allegations contained in paragraphs 1 through 13 above with the same full force and effect as if expressly set forth herein.
15. On or about September 21, 2009, Plaintiff issued \$149,999.85 worth of stock to Leonard.
16. As evidenced by the Transaction Journal attached hereto as Exhibit A, Leonard received said stock.
17. Leonard has not fully compensated Plaintiff for the stock received.
18. Leonard owes to the Plaintiff the sum of Seventy-Three Thousand Eight Hundred Thirty Seven Dollars and Seven Cents (\$73,837.07) together with interest and costs.

COUNT III

(For Unjust Enrichment – Thacher)

19. The Plaintiff reavers, realleges and incorporates herein by reference the allegations contained in paragraphs 1 through 18 above with the same full force and effect as if expressly set forth herein.

20. As evidenced by the Transaction Journal attached hereto as Exhibit A, Thacher has been unjustly enriched in the amount of \$73,837.07 by his receipt and retention of the stock transferred by the Plaintiff without having made payment for the same.
21. The Plaintiff has made demand upon Thacher for payment in full of his obligations to the Plaintiff, but Thacher has failed, neglected, or refused to remit payment in full.
22. Thacher owes the Plaintiff the amount of Seventy-Three Thousand Eight Hundred Thirty Seven Dollars and Seven Cents (\$73,837.07) together with interest and costs.

COUNT IV
(For Unjust Enrichment – Leonard)

23. The Plaintiff reavers, realleges and incorporates herein by reference the allegations contained in paragraphs 1 through 22 above with the same full force and effect as if expressly set forth herein.
24. As evidenced by the Transaction Journal attached hereto as Exhibit A, Leonard has been unjustly enriched in the amount of \$73,837.07 by his receipt and retention of the stock transferred by the Plaintiff without having made payment for the same.
25. The Plaintiff has made demand upon Leonard for payment in full of his obligations to the Plaintiff, but Leonard has failed, neglected, or refused to remit payment in full.
26. Leonard owes the Plaintiff the amount of Seventy-Three Thousand Eight Hundred Thirty Seven Dollars and Seven Cents (\$73,837.07) together with interest and costs.

WHEREFORE, the Plaintiff demands judgment against the Defendants in the sum of One Hundred Forty-Seven Thousand Six Hundred Seventy-Four Dollars and Fourteen cents (\$147,674.14) together with interest and costs.

Respectfully submitted,
Paid, Inc.
By its attorneys,

Date: July 24, 2015



John J. Dussi, Esq. BBO#546355
jdussi@cohnanddussi.com
Cohn & Dussi, LLC
500 West Cummings Park, Suite 2350
Woburn, MA 01801
(781) 494-0200

Exhibit A

(Transaction Journal)

TRANSACTION JOURNAL - Vanity Events

TRANSACTION PERIOD: 2009

TR#	DATE	FILE#	LAST(I)	FIRST(I)	MI	==	LAST	FIRST	MI	==	ST	CL	PRE	CERT#	CANC-#SHS	PRE	CERT#	ISSUE-#SHS
80583	9/21/2009	1146	WILCO								F	C				MX	16208	2,251,090
Total															0			2,251,090
80598	9/21/2009	1146	WILCO FBO				THACHER	JEFFREY THOMAS			F	C				MX	16223	405,405
	9/21/2009	1146	WILCO FBO				LEONARD	CHARLES SCOTT			F	C				MX	16224	405,405
Total																		810,810
Total																		3,061,900
Count																		3